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09/881,452	06/14/2001	Esa Harna	297-010397-US(PAR)	7550
2512	7590	11/18/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			IQBAL, KHAWAR	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/881,452

Applicant(s)

HARMA, ESA

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being unpatentable by Hansted (20020006826).

3. Regarding claim 1 Hansted teaches a method for distributing a recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a cellular radio system, the method comprising the steps of (fig. 1):

transmitting from a first terminal (User # 1) arrangement to a second terminal (User # 2) arrangement a proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (paragraphs # 0099-0102), using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session executable on said first and

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second terminals of utilising said recreational application (paragraphs # 0095, 0099-0101, 0145-0156).

Regarding claim 2 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100, 0128), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common (paragraphs # 0095, 0131, 0077-0082), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement (paragraphs # 0095, 0099-0101).

Regarding claim 3 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0095, 0099-0101).

Regarding claim 4 Hansted teaches comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link (fig. 1, paragraphs # 0060-0063).

Regarding claim 5 Hansted teaches comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the cellular radio system (fig. 1, paragraphs # 0063).

Regarding claim 6 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (paragraphs # 0130-0134), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0095-0096, 0100-0101).

Regarding claim 7 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101), transmitting from the second terminal arrangement to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications (paragraphs # 0100-0101), and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0095-0096, 0100-0101).

Regarding claim 8 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0100-0101).

Regarding claim 9 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (paragraphs # 0095-0096, 0100-0101) and,

indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0100-0101, 0166).

Regarding claim 10 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101, 0094-0095), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (paragraphs # 0100-0101, 0094-0095), transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement, transmitting from the second terminal arrangement to said recreational application server a request for obtaining a software component necessary for setting up a common (paragraphs # 0094-0095), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0094-0095, 0100-0101).

Regarding claim 11 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101).

Regarding claim 12 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement (paragraphs # 0130-0134) indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128).

Regarding claim 13 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101, 0130-0134), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128), transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and (paragraphs # 0094-0095, 0100-0101, 0128) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128).

Regarding claim 15 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance

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concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128).

Regarding claim 16 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 17 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component



necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175).

Regarding claim 18 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 18 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 19 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a common (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175), shared session of utilising said one of

said proposed recreational applications, transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications, as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128, 0132), as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and exchanging a pair of messages between the first and second terminal arrangements indicating the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 20 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 21 Hansted teaches the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 22 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common,

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shared session of utilising a recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 23 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the first terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175).

Regarding claim 24 Hansted teaches indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175).

Regarding claim 25 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a complete copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175).

Regarding claim 26 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claims 27,34,35 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132,).

Regarding claim 28 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the second terminal arrangement to a recreational application server (paragraphs # 0094-0095, 0100-0101, 0128, 0132), and transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 29 Hansted teaches imposing a charge to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 30 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server, and transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175).

Regarding claim 31 Hansted teaches imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 32 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application

(paragraphs # 0065,0071), and transmitting from said recreational application server to the terminal arrangements copies of software components needed for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 33 Hansted teaches imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132).

Regarding claim 36 Hansted teaches a terminal arrangement comprising (fig. 1) a terminal of a cellular radio system, comprising means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements (paragraphs # 0094-0095, 0100-0101) and means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both it and another terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0145-0156).

***Response to Arguments***

Applicant's arguments filed 7-30-04 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed applicant's arguments but firmly believes the cited reference to reasonably and properly meets the claimed limitations. Applicant's argument was that "second terminal arrangement possess enough software components for setting up a common, shared session of utilising the recreational application". In response, examiner would like to point out that Hansted teaches game system e.g. electronic golf system for providing game scheduling service, compares information relating to desired game starting time that is received from each player, and informs players, when information are in accord. A central data processing unit receives information relating to desired starting time of a game, from each player, through the mobile communication units. The processing unit compares the received information and informs the respective players to start the game, when the information is in accord (para. 0123-0133). Checks (desired sport, playground, match and scoring system etc...) if there is at least one user logged into the system, that plays the same discipline or play different discipline provided his and requesting user discipline have the corresponding record in the normalization table. If no user is found, then responds with the suitable information. Randomly choose one of the users (desired user) that match above criteria. Inserts into the event queue the information that desired user have got an invitation from the particular user. Responds with the information that the invitation has been send. The mechanism of the event queue assures that the invitation will be displayed on the desired user device within short

period of time. Desired user can accept or reject the invitation His choice will be sent to the server software, which will process and store obtained information in the event queue. If desired user confirmed the invitation then server software relates username of the desired user with the game currently played by the user. The user gets the confirmation or rejection of his invitation using event queue mechanism. (para. 0147-0154 and also see para. 0162-0166, update scripting software in the database table). Additionally, the examiner has given the claim language its broadest reasonable interpretation.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jeong et al (6383075 teaches multi-player game in a telecommunication system.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231


**or faxed to:**

**(703) 872-9314 (for Technology Center 2684 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal

  
RAFAEL PEREZ-GUTIERREZ  
PATENT EXAMINER  
11/15/04